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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,742	08/03/2001	Jun Yoshida	SONYJP-124	2022
530	7590	06/19/2006	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			HAMILTON, LALITA M	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/830,742

Applicant(s)

YOSHIDA ET AL.

Examiner

Lalita M. Hamilton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-28, 30-36 and 38-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-28, 30-36, 38-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### Summary

On December 29, 2005, an Office Action was sent to the Applicant rejecting claims 22-40. On April 3, 2006, the Applicant responded by amending claims 22 and 24 and canceling claims 29 and 37.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 22-28, 30-36, and 38-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Mandler (5,732,400).

Mandler discloses a method for the risk-based purchase of goods comprising purchasing an item using a terminal apparatus connected to a supplier server through a communication line, accumulating data associated with a user request to purchase the item at a plurality of supplier servers, contacting, by the plurality of supplier servers, a credit company server to obtain a credit contract associated with the user request to purchase the item, accessing, by the credit company server, a database having standard commissions and item charge rates associated with each of the plurality of suppliers associated with the plurality of supplier servers, determining, at the credit company server, whether the user is authorized to receive credit for purchasing the item, calculating, at the credit company server, a term of payment for each supplier

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associated with the plurality of supplier servers based on the standard commissions and item charge rates associated with each supplier and the interest rate, simulating at the terminal apparatus the calculated term of payment for the suppliers associated with the plurality of servers, creating a credit contract including one of the calculated terms of payment, and sending the credit contract from the credit company server to the user if the user is authorized receive credit for purchasing the item (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); setting at the credit company server, an interest rate based on the item being purchased (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); sending a notification from the credit company server to the supplier server indicating that the user is authorized to purchase the item if the user is authorized to receive credit for purchasing the item (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); communicating with a database having credit information relating to the user (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); sending a notification to the user indicating denial of credit for purchasing the item if the user is not authorized to receive credit for purchasing the item (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); sending a notification from the credit company server to the supplier server indicating that the user is not authorized to purchase the item the user is not authorized to receive credit for purchasing the item (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); providing the user with credit payment options including the frequency of payments associated with purchasing the item if the user is authorized to

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receive credit for purchasing the item (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); providing the user with credit payment options including the amount of each payment associated with purchasing the item if the user authorized to receive credit for purchasing the item (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); associating a commission with the item based on the identity of the supplier (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); associating an interest rate with the with the item the credit contract based on the identity of the user (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); printing the credit contract and sending the printed credit contract to the user (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); transmitting an electronic copy of the credit to a terminal apparatus associated with the user (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); user applying a digital signature to the electronic copy of the credit contract and transmitting the signed electronic contract to the supplier server (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); selecting a credit payment method for the good being purchased using a user terminal coupled to a server, determining, by the server, payment options associated with the credit payment method, the payment options including a payment frequency and a payment starting date, and requesting, by the server, that a user associated with the user terminal agree to the credit payment method including the payment options (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); transmitting information associated with the user to a credit company

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server (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); determining, at the credit company server, an interest rate associated with the good being purchased based on the information associated with the user (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); determining, at the credit company server, an interest rate associated with the good being purchased based on the type of good being purchased (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); transmitting a contract to the user terminal when the user indicates acceptance of the credit payment method (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30); determining if the user is a student or a housewife (during application process, questionnaire); and determining the user has previously purchased another good from a supplier associated with the server (col.3, lines 30-65; col.7, line 5 to col.8, line 15; and col.11, line 15 to col.13, line 30).

### ***Response to Arguments***

Applicant's arguments with respect to claims 22-28, 30-36, and 38-40 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

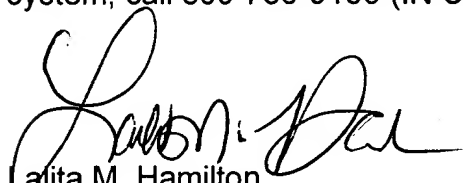
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Lalita M. Hamilton  
Primary Examiner, 3624